MADRAS COURIER

VOLUME XXVI. | TUESDAY, AUGUST 7, 1810. | NUMBER 1296.

NABOB'S DEBTS.

The original Bonds in support of the two foll[illegible] were deposited in the office of [illegible] Commissioners, within the time prescribed [illegible] receipt of claims, as Vouchers in support of claims supposed to have been preferred before the Commissioners in England, and were therefore not included in any of the Schedules of Claims preferred at Madras. It appearing however, that the Claims were not received by the Commissioners in England owing to Mr. Fordyce's not being in possession of sufficient powers from the claimants to warrant his subscribing the Deed of Agreement on their behalf, the claims are now accordingly published, and the Commissioners now hereby give notice that their Office will be open for the receipt of objections to them until the 15th day of September next, on which day they will proceed to the investigation of them, as Nos. 341 and 342, of claims advertised for investigation.

10808 Lieutenant Thomas Davidson by his attorney W. D. Brodie, Esq. Bond of the Nabob Wallajah, dated 31st December, 1786, for arrears of pay as a Military Officer. Principal, Star Pags. 2502. £. Sterling 2044 2 8.

10809 A. C. Meyer attorney for Mrs. Paris, widow of the late Captain John Paris, Bond dated 1st September 1783, of the Nabob Wallajah for arrears of pay. Principal, Pags. 1002 24. £. 934 1 3.

THE COURIER.

TUESDAY, AUGUST 7, 1810.

APPOINTMENTS, &c.

Mr. J. B. Pybus, Assistant in the Office of the Secretary to Government in the Revenue and Judicial Departments.

The undermentioned Officers having reported their return to the Presidency with the permission of the Honorable the Court of Directors, the Governor in Council is pleased to readmit them to their Rank on the establishment.

Lieutenant Col. H. S. Scott, 4th Regt. N. I.
Major Thomas Steel,........2d Regt. N. I.
Major Broughton Dodd....14th Regt. N. I.
Captain W. G. Waugh, Madras European Regiment.
Lieut. Thomas Chambers,....6th Regt. N. I

The undermentioned Gentlemen Cadets are admitted on the Military Establishment of this Presidency.

CAVALRY.—James Morrison.

ARTILLERY OR ENGINEERS.—John George Proby, Henry Fullerton, Patrick Montgomerie, and Duncan Sim.

INFANTRY.—W. Thos. Slade, Charles Henry Gibb, John Grimshaw, Robert Dunmore, Henry Owen Butts, Alexander Macarthur, George Walker, John Lowry Richardson, W. Cunningham, and Alexander Gleig.

Captain Anthony Weldon, of Artillery, to be Commissary of Stores to the Hyderabad Subsidiary Force, in the room of Captain Blair, resigned.

On Sunday morning arrived the Honorable Company's Ship WILLIAM PITT, Capt. GRAHAM, from the Cape of Good Hope 20th June, having on board a Detachment of H. M. 24th Regiment. The PITT having accompanied the EUPHRATES into Simons Bay returned immediately, without coming to anchor, in the hope of being able to overtake the CEYLON, ASTELL and WINDHAM, but missed them in proceeding by the outer passage.

PASSENGERS.

Per WILLIAM PITT.—For Madras—Lieutenant-Colonel John Dighton, and Family—Misses Mein and Smith—Messrs. Dighton, Por[illegible]r, John Gibbings, and Barnet, Cadets—For [Ben]gal—Messrs. C. Middleton, G. Martin, and Dashwood, Writers—Messrs. H. Ralfe, Farnarby, Robb, Steer, Auberjoneu, Shrine, Wood, Ingle, Jenkins, Blair, M'Kenley, and Chespe, Cadets.—Mr. Lay, Pilot Service.

Mr. Lind and Family—Mrs. Conryen—Mrs. Green—Major Hicks—Captain William Conryen—Lieutenant Wm. Burroughs, H. M. 69th Regt.—and 310 Men of His Majesty's 24th Regiment.

Extract of a letter from Samulcottah, dated 24th July, 1810.

A Gentleman at this station, lately undertook for a considerable wager, to proceed on foot, the distance of fifty miles in fourteen hours, which he accomplished having five minutes to spare. He started at 10 A. M. and having a very favorable day, the wager was won with ease. The bets at starting were two to one against him.

Shipping Arrivals since our last.

31st July, 1810.—Schooner De Echo, Prize to H. M. Cutter Sylvia—August 2d H. C. Ship Astell, Captain Robert Hay, from London 14th March, and Cape of Good Hope 12th June—Do. 3d H. M Cutter Sylvia, Lieut. Drury—Do. 4th H. M. Ship Illustrious, Wm. R. Broughton, Esq. Captain—Do. 5th H. C. Ship William Pitt, Capt. Charles Graham, from London 14th March and Cape of Good Hope 20th June—Do. Do. H. M. Ship Ceylon—Do. 6th Ship Good Hope, Capt. I. Napier, from Cape of Good Hope 23d June.

MADRAS.

BIRTH.—At the Presidency, the Lady of Lieutenant Colonel CONWAY, Adjutant-General of the Army, of a Daughter.

BENGAL.

MARRIAGES.—On the 13th ultimo, at the New Church, by the Reverend Dr. Ward, M. H. Turnbull, Esq. of the Honorable Company's Civil Service, to Miss Eliza Anne Colvin, Daughter of Alexander Colvin, Esq.

Same day, by the Reverend Dr. Ward, Mr. Robert Nighland, Apothecary of the Presidency General Hospital, to Mrs. Elizabeth Hartley, Widow of the late Serjeant James Hartley, of the 14th Regiment of Foot.

Also, Mr. William Jenkins, Mariner, to Miss Sarah Twalling.

On the 14th ultimo, Mr. C. G. Manini, to Miss E. Phipps.

On the 3d June, at Dinapore, by the Reverend W. A. Keating, Mr. Nicholas Miller, to Miss Elizabeth Robertson.

On the 20th June, Mr. John M'Kail, to Miss Margaret Simpson.

BIRTHS.—On the 14th ultimo, the Lady of C. G. Blagrave, Esq. of the Civil Service, of a Daughter.

On the 10th ultimo, the Lady of Captain Sherwood, of the Artillery, of a Son.

On the 14th ultimo, Mrs. C. Christiana, of a Daughter.

On the 16th ultimo, Mrs. Patrick Read, of a Son.

DEATHS.—On the 15th ultimo, the Infant Daughter of the late Captain G. Turnbull.

On the 16th instant, Mrs. Margaret Gibson.

Lately, at Chinsurah, Louis Adrien De Brueys.

CEYLON.

MARRIAGE.—At Columbo, on the 8th ultimo, Assistant-Surgeon Scratchley, Royal Artillery, to Miss Roberts.

ARRIVALS.—Lieutenant William Chatfield 1st Regt. N. C.—Ensign J. Jones, 1st Bat. 7th Regt.—Assistant-Surgeons T. Sergeant—Sladen, 2d Bat. 20th Regt.—and I. Jones, 1st 12th Regt.—Capt. W. Hovenden, H. M. 34th Regt.—Lieut Burroughs, H. M. 69th Regt.—Messrs. E. P. Gowan, John Coventry, Anderson, I. Colvin, J. Cartwright, and C. Hanbury, Cadets Artillery or Engineers—Messrs. H. Lawrence, H. B. Henderson, G. Chapline, Holroyd, J. Lowrie, J. Essan, and W. Drew, Cadets, Infantry—Mr. H. H. Smith, Merchant.

DEPARTURE.—Lieutenant-Colonel T. Nuthall, 4th N. C.

CALCUTTA MORNING POST.

FRIDAY, JULY 13, 1810.

GOVERNMENT NOTIFICATION.

Fort William, Accountant Genl.'s Office, July 11, 1810.

Notice is hereby given, that all the Treasury Notes of this Government, which may be outstanding from No. 16,001 to No. 16,200 of 1809-10 inclusive, will be discharged on application at the General Treasury, on Thursday the 19th Instant, on which day the interest thereon will cease.

W. EGERTON, Ac[illegible] GENL.

GENERAL POST OFFICE, JULY 10, [181]0.

It is hereby notified, that Packets are op[en] for the reception of Letters to proceed by the follo[win]g Ships, under despatch for Europe, viz.

The freighted Ships { BHEMOOLAH, AND CORNWALL.

[illegible]OTT, [illegible] P. M. G.

The [Fr]ench Cartel [Susan]nah, drop[ped] down the ri[ver o]n Tuesday last [an]d will pr[ocee]d to sea im[med]iately, in prose[cutio]n of he[r voyage] to the I[sle o]f France: one [hund]red an[d twe]nty four pri[so]ners of war retur[n on th]e Sus[an]nah.

Captain Maurice, late Commander of the French Corvette Jena, who embarked on the Harriett, Cartel, despatched hence in the month of October last for the Mauritius, is reported to have fallen in a duel, whilst the Harriett lay at Ceylon.

LOTTERY.

The third day's drawing took place on Monday, [illegible] following prizes came up:—

No. [illegible] and 319, prizes of Sicca Rupees 5,000 [illegible]

N[illegible] prize of Sicca Rupees 1,000.

T[he res]ult of yesterday's drawing, was as follows.—

No 3679, a prize of 100,000 Sicca Rupees.

Nos. 535 and 2859 prizes of 10,000 Sicca Rupees each.

Nos. 2958 and 3075 prizes of 1,000 Sicca Rupees each.

We understand the fortunate holders of [p]rize 3679, are Captain J. W. Taylor, Professor of the Hindoostannee Language in the College of Fort William, and George Dickson, Esq. Acting Commissary of Musters.

ARRIVALS.

July 9, Ship Euphrates, Captain Mearing, from Bussorah, the 15th May, and Eskapelly, the 26th June.—do Ship Aurora, Capt Glass, from Madras, the 26th June.—do. Ship Portsea Captain Davidson, from Madras, the 26th ditto.

DEPARTURES.

July 3, Ship Sir Edward Pellew, Capt. Steevens, since totally lost, having struck on the eastern sea reef.—Ditto, Cape Packet, Captain Kidd, bound to Amboyna.—Ditto 9, Ship Silenus, Ford, Penang sailed out.

LAW INTELLIGENCE.

Supreme Court, Monday, July 9, 1810.

This day were tried six native inhabitants of Calcutta, on an indictment for conspiracy, in seducing, and afterwards forcibly carrying off the wife of a native carpenter.

The indictment contained three counts: 1st, for carrying off the prosecutor's wife; 2d, for an assault upon the husband; and 3d, for breaking into and entering the house. The parties indicted, were chiefly relations of the prosecutor's wife; among them were her great grandfather, her uncle, her grand-uncle, &c.

The prosecutor was the first witness called. He swore that he married in January, 1809; that his wife came from the house of her relations and lived at his house, on three different occasions: on the first of these visits, she remained with him three days; on the second, eight; and on the third, fourteen days; that on all these occasions they lived as man and wife, on the most affectionate terms:—that while living on this footing, on the 16th of May last, about 9 o'clock at night, the prisoners at the bar, came to the house of the witness, and calling to him; he went out of his compound to see what they wanted; upon which the prisoners entered the compound; his wife, two of her brothers, and her mother, were at that time eating their curry in the house:—on the prisoners going into the compound, the witness's wife shut and bolted the door; upon which the prisoners began to beat against it, endeavouoing to force it open.—The witness asked them what they intended by this violence, and on attempting to expostulate with them, one of their number seized him by the hair of the head, and beat him, while the others forced their way into the house, and carried off his wife.

This was [t]he case, as stated by the prosecutor; a[nd two] other witnesses, who were called, g[ave] evidence precisely to the same effect.

In a[nsw]er to some questions from the bench, the wi[tness for th]e prosecution admitted, that as the [pri]soners wear near relations of the prosecut[or's] wife, they had better opportunity of seduc[ing] the affections of the woman from her husb[and] while living under their own roof, than [by conv]eying her away from her husba[nd; f]rom various inconsistencies and impr[obabi]lities in the case, as well as in the evide[nce fo]r the prosecution, the Jury seemed to d[isbeli]eve it *in toto*; and returned a verdict, [of acq]u[ittal o]f all the prisoners. The Sessions [closed wit]h this case.

BENGAL HURKARU,

SATURDAY, JULY 14, 1810

By advices from Berar, received by the way of Bundlecund, we learn, that the troops of the Rajah of Nagpore, have lately been engaged, in an unsuccessful attack against the fortress of Gurrah Kotah, belonging to an independent Chieftain, named Rajah Murden Sing. On this occasion, the Boonselahs are stated to have sustained a loss of 100 men killed, and 200 wounded. Murder Sing having proved a more formidable enemy, than the Court of Berar, had expected to cope with, it was commonly reported, that Saadut Alee Khan was about to take the field, with a force of 10,000 men, for the purpose of conducting the siege of Gurrah Kotah in person. The place was strongly garrisoned, and well supplied with provisions and ammunition.

It appears by our advices from Bundlecund, that Major Kelly, with his detachment from Kuckeruttee, had taken up an advanced position at Lohargong, above the ghauts, where he remained on the 30th ult. Gopaul Sing, when last heard of, was at the village of Narut, at no great distance from the British party. He was expected to make his appearance, as soon as the rivers should rise sufficiently, to impede the rapid movement of our troops; and some of his Sirdars having already begun to approach our positions, it was even doubted, whether a more immediate attack might not be in his contemplation.

On the morning of the 29th ultimo, a strong and well-equipped party was detached from Major Kelly's camp, for the purpose of dislodging a body of Gopaul's people, who had taken post in a small fortified house situated in the centre of the jungle. This party was expected to reach its destination in the course of the 30th; and, as the enemy, by every account, were unprepared for any serious opposition, it was not doubted, but that they would either capitulate immediately to our detachment, or evacuate the place on their approach. In case, however any unforeseen obstacles should arise, Major Kelly was prepared to support the detachment in person, with an additional force, which would be ready to march by the 1st current.

We are happy to add, that the course of measures adopted in that quarter, had effectually contributed to restore confidence to the inhabitants of the Kuckeruttee district, who had been driven from their homes by the alarm of the late invasion, and that they were very generally returning again to their wanted occupations.

ASIATIC MIRROR,

WEDNESDAY, JULY 18, 1810.

We learn by letters of the 8th current, from Benares, that the Rains had set in pretty generally throughout that District, to the great joy of the Inhabitants, who were suffering considerably, under the former oppressive state of the weather.

The River of Calcutta, has risen upwards of four feet, within the last week.

For some days past the wind has been chiefly from the North East. Yesterday it blew strongly from that quarter, which, has probably prevented some inward bound vessels from entering the river.

SUPREME COURT.

MONDAY, JULY 16.

Messrs. JAMES *and* PATRICK CARNEGY,

versus

Messrs. SCOTT, WILSON *and* Co.

This was an action brought for damages arising from a failure of contract. The Plaintiffs had freighted the ship Marianne, Captain Hall, belonging to the Defendants, to carry a cargo of Pepper from Prince of Wales Island to China. The Marianne, received the cargo on board, sailed on her voyage, and had got within two days sail of China, when she was compelled, from stress of weat[her] to return to Prince of Wales Island; [and] the Plaintiffs alleged that they had su[stained a] very considerable loss, laying their damages at [Sic]ca Rupees. 150,000, and for the recovery of w[hich] this action was brought. The Plaintiffs [we]re non-suited.

BOMBAY COURIER,

SATURDAY, JULY 21, 1810.

Henry Salt Esq. deputed on a mision to Abyssinna arrived here on Monday last on board the Marian. Captain Weatherhead bound for London which was driven in by stress of weather and want of repairs.

Mr. Salt left England in March 1809, he touched at Madeira and at the Cape, whence Admiral Bertie afforded him convoy to Mosambique; from Mosambique Mr. Salt proceeded to Adeen where he visited the Sultaun, and then thro' the Straits to Mocha. Here he made his preparations for prosecuting the objects of his Mission into Abyssinia. In December Mr. Salt crossed over to the opposite Coast; where a new port being discovered on this occasion, at Amphyla, he endeavoured and at length with great difficulty succeeded in gaining communication with his Excellency the Ras Willed Sesalle or Vice Roy of Tigre. He concerted measures with the Ras to meet his people at Massowah. Here he arrived on the —— of February, and found the Chieftain Debile and Mr. Pearce, who had been left in Abyssinia with the view of acquiring the Native languages. Mr Salt soon after set out for Antalow, where he arrived after a month's journey, the chief difficulty attending which was the transmission of two Curricle Guns thro' so mountainous a country.

At Antalow Mr. Salt fonnd the Ras with whom he continued until May; when having happily succeeded in effecting the principal objects of his Mission, he retuaned to the Sea Coast visiting Axum in his way, and fortunately reached Mocha in the early part of June.

The following melancholy occurrence took place on Sunday night last in this harbour. Captain Fea of the Duncan ——ing dined on shore that day went on board his ship in company with his brother at 6 o'clock. They afterwards visited the Mary country ship and returned to the Duncan about 9 and went to bed. In the morning Captain Fea was missing; the clothes which he had on the night before were still in his Cabin; his brother who slept immediately over him in the same Cabin was not disturbed by any noise or movement during the night.

It is supposed that he went on deck and by some accident fell overboard, and not being able to swim was unfortunately drowned. The body has not yet been found.

July 14, Arrived Ship Lord Castlereagh, Captain E. Cooper, from London.—do. Ship Upton Castle, Captain H. Adams, from ditto.—do 15, Sailed Grab Ship Hamoody, Captain Thomas Williams, to Madras.—do. 16, Arrived Ship Marian, Captain Thomas Weatherhead, from the Read Sea.—do. 17, Sailed Ship Charles, Captain R. Dennison, for Madras and Bengal.—do. Honorable Company's Ship Mercury, Captain D. D. Conyers, to Muscat.

English Extracts.

LONDON,—FEBRUARY 9, 1810.

The public is now presented with a small portion of the Minutes of Evidence taken in the House of Commons on the investigation of the Walcheren Expedition. The examination of the Commander in Chief at home, and of the Physician-General of the Army, is all that is at present published. The testimony of the former proves nothing, it will be seen, either in favour of the propriety of the plan adopted, or its practicability; the official opinion of Sir DAVID DUNDAS; relating only to a wild project, which appears to have been in agitation, of marching from Ostend to Antwerp by land. The military claims of Lord CHATHAM to selection for this important service appear to be somewhat singular ones, as detailed by Sir DAVID; and so is the account he gives of the feasibility of a *coup de main* upon Antwerp. The evidence of Sir LUCAS PEPYS informs us of that which was but too well known before, that the Expedition was undertaken at the most unhealthy season, and that no extraordinary medical preparations were previously made, to meet the evils which were sure to ensue; but Sir LUCAS was taught to believe, that the service was only to be of short duration. The retention of Walcheren then appears to have been an after-thought; and the chief object originally proposed was certainly the *coup de main* upon Antwerp.

A peculator of a subordinate kind has, we understand, been discovered in the Navy Department. We shall state more of the particulars to-morrow. It will be some satisfaction, however, to the public to know, that the less sustained by him amounts only to five thousand pounds. This gentleman has resigned, too, we understand. While we are upon this subject, we cannot avoid noticing a report in circulation, that Mr. HUNT, the Ex-Treasurer of the Ordnance, voted on some [illegible] division lately with the Chancellor [illegible] Exchequer. In what state must Ministers be, if they have called upon this Gentleman for his support, after what they themselves said of him in the House of Commons!

MARCH 7.

The debate in the House of Commons upon Mr. Whitbread's resolutions was most interesting; and the result, as we had ventured to predict, more eminently unfavourable to Ministers than any preceding division in which they had been left in a minority; the excess of the number of votes against them being no less than thirty-three. The whole history of their Administration is a singular one; and their conduct is no less unprecedented on the present occasion. We are no friends to the influence, real or supposed, of the servants of the Crown, over the representatives of the people, but yet, in order to constitute the capacity of conducting the affairs of the nation at all with any consistency, it is necessary that the measures of those who conduct them should have the systematic support of the representative body; but we now, for the first time in our history, see a set of men lingering in office, who are entirely uncertain respecting every plan they propose, whether it will be sanctioned or disapproved by Parliament; and who, therefore, can do nothing prospectively good for the benefit of the nation; but whose whole administration must consist of detached expedients, arising from emergent occurrences over which they have no power. For example, Lord Chatham, during the great leisure which he possessed in the island of Walcheren, while his army was in[illegible], may have devised some method for economizing the expences of the Ordnance Department, over which he presided, and in which such peculation is said to have taken place; but lo! here is Lord Chatham himself lost, as a civil officer of the crown, by the vote of Monday night; and of course his plans perish with him. This uncertainty, it is evident, must prevail throughout all the arrangements of the present *men* (for they cannot be called Ministers, though they receive the emoluments of office); they are themselves unable to predict what they may, or what they may not, be obliged to do three days hence upon any one Parliamentary or Constitutional business whatsoever. It is evident, therefore, that they cannot be said, even now, to govern the nation; but that they are themselves the slaves of events brought about by, or dependent upon, the will of others. The nation is in the state of a ship, of which the regular pilot is every now and then driven from the helm, and others at pleasure, seizing the rudder steer whatsoever course they please. It is evident that such a vessel can never, except by chance, reach any port, but must be tossed on the ocean till she founders.

MARCH 10.

Yesterday morning Mr. Hase communicated to the Gentlemen of the Stock Exchange the contents of a letter received that morning at the Bank of England, from the Chancellor of the Exchequer, to the following purport:—That Mr. Perceval intended, in the course of next week, to make a proposition to Parliament for the funding of a sum not exceeding 8,000,000l. Exchequer Bills, dated between the 20th of February, 1809, and 16th March, 1810, both inclusive, upon the following terms: For 100l. principal money subscribed, it is proposed to give 103l. 5s. in the Navy five per Cents. In the event of the whole of that sum being subscribed, Mr. Perceval states it to be his intention not to propose any addition to the Navy five per Cents. this Session. On the proposition being approved by Parliament, the time allowed for subscriptions being received and other particulars relative thereto will be made public. Interest to commence from the 5th of January last.

MARCH 12.

A division of the French army in Germany is expected every moment to occupy Hamburgh and its dependencies, for the purpose of preventing every possibility of the merchants trading in English, or perhaps even any other colonial produce. The line of the French customs at Hamburgh, Bremen, and Lubeck, is also to be tripled. A French Decree, or order, is said ro have arrived, or on the way, according to which no colonial produce whatever, whether American or English, is to pass the French line of Custom-house officers at Hamburgh, coming from Altona, or any part of the Danish territory.

The shores of the German Ocean are, by the same accounts, to be guarded by an army of 60,000 French, in order to prevent all trade. The Humburgh merchants who trade to America, and had consignments made to them, *via* Tonningen and other ports in the Danish Dutchies, are under great apprehensions that the French should enter Holstein, under some pretence or other and seize the great quantity of American products now hoarded up there.

The Danish troops, a few days ago, began to form a numerous cordon of troops, from the mouth of the river Elbe as far [illegible]; with what design is not known. The [for]tresses along that cordon have also been put [in] a respectable state of defence, and supplied with a numerous artillery.

Early this morning the French Mi[nis]ter at Hambro' received advice from Hanov[er], that the incorporation of that Electorate wit[h] Westphalia has been put off, in consequenc[e] of the arrival of couriers from Paris [illegible]. The deputation of the States ordered to [coun]sel to recommend the ceded Electorate to [the] mercy and favour of its new master, rece[ived] orders to return to Hanover. It is now [said] that Buonaparte has sent a letter in his o[wn] writing, by his Marshal of the Palace [illegible], to his Britannic Majesty, to make s[ome] proposals before this decisive measure shall be taken with regard to his Majesty's German dominions. The winter has again set in with renewed severity, and the Elbe is completely locked by the ice.

MARCH 20.

A very strong sensation has been created in Germany and Holland, by a small pamphlet, which was clandestinely put into circulation in the beginning of January, entitled, "The complaints of the people of the Continent, on the subject of the interruption of their Commerce, addressed to all the Princes of this part of the World." The French Police at Hamburgh, where it is supposed to have been printed, have, in vain, offered a reward of 600 rix dollars for a discovery of the author and printer; and it continues to be eagerly sought after by persons of every description, notwithstanding the denunciation of a penalty of 300 rix dollars against any one having a copy in his possession.

MARCH 26.

The American Frigate John Adams was expected to sail yesterday from Cowes with Mr Pinckney's dispatches, which were sent down on Saturday by Lieutenant Elliot, of that ship. She proceeds in the first instance to Havre-de-Grace, from whence Mr. Elliot will go to Paris to receive General Armstrong's dispatches. It is generally believed that this Minister will avail himself of the present opportunity to return to the United States. Indeed, if the accounts of the arbitrary proceedings of the French Government be true to the extent stated, it is impossible the American Minister can continue his functions at the Court of Paris, without submitting to degradation, as it is to be hoped the representative of any state, out of the immediate reach of Buonaparte's indignation, would not endure. Letters from Paris of the 17th instant, we understand, were received on Saturday, which mention that General Armstrong had demanded his passports. They also confirm the report of an order having been issued for the seizure and sale of American vessels and property, and communicate that a decree to that effect would be published on the following day. Ministers and Mr Pinckney are said to have received similar information from France.

MARCH 30.

We yesterday received Cadiz Gazettes, to the 19th instant. The French are still actively employed in the erection of batteries opposite to Cadiz, which the Spaniards are generally successful in demolishing. The former have constructed a bridge of casks, with the view, no doubt, of facilitating the reduction of Cadiz. On the 17th, several transports from Lisbon arrived at the latter place, under convoy of his Majesty's Ships Rota and Myrtle, and having on board three British and one Portuguese Regiment, with two Companies of Artillery. Additional reinforcements were expected from Gibraltar by the first easterly wind. All communication between Cadiz and the interior of Spain was completely cut off. Admiral Alava has been removed from the command of the fleet to another situation, and Admiral Villaviciosa, who is considered as a person of the most patriotic principles, and much attached to the British, is appointed in his room.—The Mercurio has arrived from Monte Video with a million of dollars, and another ship (the Asia) was daily expected with six millions.

From the LONDON GAZETTE,

MARCH 31.

84th Regiment—Major Archibald Campbell, to be Lieutenant-Colonel, by purchase, vice Dickenson, who retires.

WHITEHALL,—March 31.

The King has been pleased to grant unto Sir Harford Jones, Baronet, Member of the Imperial Ottoman Order of the Crescent of the superior degree, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia, his Royal License and permission that he may, in compliance with the desire of His Majesty the King of Persia, bear certain honourable augmentations to his Armorial Ensigns, together with Supporters, as depicted in a patent presented by his Persian Majesty to the said Sir Harford Jones, as a distinguished mark of his Royal favour. The honourable augmentations to be also borne by the descendants of the said Sir Harford Jones, and the supporters by such of them on whom the dignity of Baronet may devolve, provided the several Armorial bearings be first duly exemplified according to the Laws of Arms, and recorded in the Herald's Office, otherwise this his Majesty's concession and especial mark of his Royal favour to be void and of none effect.

HOUSE OF COMMONS.

MONDAY, MARCH 12, 1810.

COMMITTAL OF MR. JOHN GALE JONES.

Sir FR[ANCIS] BURDET[T said] he regretted deeply that it had no[t b]een in his po[wer to] come down to the House when th[e] subject of t[he pr]esent debate w[as] before them, [bu]t the questio[n] which rose out o[f t]hat committal [in] which he com[b]ined, was one no[t de]pendent [on] pec[ulia]r or perso[nal] circumstances; it [was] of broad and [univer]sal imp[ortanc]e; it was not si[mply] whether an agg[rav]ated i[njury h]ad been sustained b[y] an individual, b[u]t whe[ther the] House had not acted on a principle r[ad]icall[y wrong in] [illegible]ct, and radically ad[ve]rse to the Constitution. He could not think he did his duty, unless he laboured to persuade the House to retract an act, which he had persuaded himself to believe pernicious and illegal. He knew that some men in this country carried their notion of Parliamentary privileges to an immense extent; but if those privileges were of that impalpable and subtle nature, that their reason and their office were too fine for the intellect of ordinary men, he had nothing to do with them; his intellect was of an humbler order; nothing that was not universally intelligible could come within his perception of what was law;—and for the privileges of that House, as well as for all the other bonds and rights by which society was guided, or protected, or restrained, he must still advert to the common custom, modified by the common sense of the people. In the course of the examination which he proposed to institute, he should find it necessary to state the origin, nature and extent of Parliamentary privileges. He must observe, in the first place, that the House of Commons was not the Parliament, but a branch of the Legislature, and that too of an inferior rank—[*Cries of order*, and the SPEAKER reminded Sir FRANCIS that such expressions were inconsistent with the dignity of the House.]

Sir FRANCIS resumed:

He would not now proceed to arrange the precedency; but the points for which he felt himself empowered to contend were, that the House had not singly the power of committing any British subject to prison; and that the committal of Mr. John Gale Jones was a breach of the laws of the realm. He felt a strong hope, [tha]t in the course of this discussion, Gentlemen w[ould] by those inflated ideas of privilege, which ha[d] been long cherished by them; and in this case, following the surer guide of the great luminaries of British law, be ready, and even anxious, to do an act of the first justice, and undo one, which, upon his most mature thought, he felt to be beyond the legitimate extent of their powers. The plain question was, whether they had the power of committing a British subject to prison. In considering this question, he exempted from it all interference with the right of the House, over their own Members conducting themselves as such in a riotous or indecorous manner. There was one grand distinction that must force itself upon them—the distinction between privilege and power; a distinction almost as marked as that between offence and defence. Privilege was the protection of the Members from the insults or the violence of power. One of the first laws which he had found on this point was that in Spelman, by which Members were not to suffer interruption in going to Parliament; and from this simple protection grew up that monstrous form of indefinite privilege, which they were now to judge. Indefinite privilege—the indefinite law of Parliament—he could not understand the terms; there was a solecism in the very expression for what was law but a correct, precise, plain definition of power and of crime? By a law of Edward II. suits were not to be carried on against Members attending Parliament, on the ground that they should not suffer conviction when they might not be present; this was gradually followed by the exemption of their persons from arrest, the exemption of their servants, their estates, and other species of property. Those privileges were at length embodied into a resolution of the House by Lord Coke, and made the law of Parliament: but in all this there was no spirit visible but that of defence; they protected their own Members, they were binding on their own Members, but they stopped there: they never thought of extending them to the prejudice of others, and still less of arming them against the public, established, recognized law of the land. There were the cases of Larkin, of Walsh, and the memorable one of Thorpe, who had been the Speaker of that House, and had been arrested. It was debated in full Parliament (for at that time the Commons did not conceive themselves equivalent to the whole body of the Legislature) whether the privilege of Parliament should not be pleaded; four cases were stated by the Judges in which privilege could not be pleaded; Thorpe's case not coming within them, he was allowed to possess the right to plead privilege; but this plea, fully and critically substantiated as it was, was declined by Parliament, on the ground that it would involve a failure of justice. There was the case of Mr. Chedder, Member for Somersetshire, who had been beaten, and treated with great violence, out of the House: here there was no attempt of the House to take the law into their own hands; he was sent to right himself by a course of law; but a law was made, enacting, that in future additional penalties should fall on the person who offered violence to a Member. From that period, down to the time of the Long Parliament, and the civil wars, he could scarcely cast his eye on a single instance where the boisterous hand of power raised up itself to arrest the course of law. At the time of the civil war, the necessary usurpation, for he must call it so, the usurpation of rights which that House found necessary against the tyranny of a misguided monarch, gave them a feeling of privilege which exceeded the natural and justifiable extent of Parliamentary powers. But, like men who, after having once tasted the sweets of power, become eager to retain it, even to the injury of others and the ruin of themselves, the House grasped at their new privileges with a tenacious and even a tyrannical hand. The people were conscious of this; but the Parliament had become so valuable to the people, its services had been so great, the talents of its Members so splendid, its services to general freedom so meritorious, so ardent and so effectual, that even tyranny in such hands lost the abhorrence with which it should be always viewed by a nation of wisdom and feeling.

In the cases of Sir John Fade, Mr. Onslow, and Dr. Carey, the Commons denied the right of trying them to the Lords, as an infraction of the laws for the liberty of the subject. Thus, when the question of privilege touched the Commons, they were found sheltering themselves under the law of the land. Subsequently to the Revolution, in 1697, in the memorable case of Bridgeman against Holt, on a Petition to the House of Lords, complaining of a denial of justice, the Judges refused to abide by the decision of the House. In a memorial of great science and wisdom, they appeal to the common law; they demand to be tried only by the established Courts; they fly to the trial by Jury, and the broad shield of Magna Charta. This case must press still more heavily on the assumed judicature of the Commons, for the Lords have something of an actual judicial nature in their Constitution; they are the *dernier resort* or the final Court of Appeal. The Judges in their memorial stated, that they could not consider the House of Lords as a competent Tribunal, because there the law and the fact were settled by the same persons; that this was an incongruity by which justice must have been at once defeated, and that wh[at]ever might be the decision, it could not protect th[em] from further injury: they added, that lest such cases might occur again, they must prove publicly that the jurisdiction of the Lords could not extend to them. Other persons might in future come before the House, and from slavish motives, from ignorance, or from weakness, give up their rights; but they, as judges of the land, durst not withdraw from the solemn duty of resisting a jurisdiction which the law of the land pronounced to be illegal. This reasoning, forcible and satisfactory as it was, applied directly to the case before the House. What was there to prevent another trial and another punishment of Mr. Jones? An ac-

tion was at this moment brought against him by a Noble L[illegible] for a Libel.* What prevented the Honourable Teller of the Exchequer who, before he left that House, had brought Mr. Jones to their Bar, but who was not likely to return there?—(*A laugh.*) What had prevented his use of the weapons with which the natural course of law furnished him? After the Revolution there were a crowd of cases in which privilege was involved. Dr. Friend, Wilford, and others, were brought before them for libels in pamphlets and other works; they were censured; but the power of the House never stretched beyond a reprimand. There was the case in which the Serjeant at Arms was sent to seize the Printer of the Middlesex Journal; the arrest was attempted in the City, but the Printer seized the Serjeant, and brought him before the Alderman. The House took up the matter with all imaginable alacrity, sent those of the presiding Aldermen, who were Members, to the Tower, but passed by Wilkes, who was on the Bench at the same time, and in the same act. When the Libel in the North Briton, and in a gross publication, under the name of a Bishop, of course a Member of the Upper House, came under their cognizance, they merely adddressed to have the delinquent prosecuted by the Attorney General. In adducing authority on the point, Sir Francis said, that he felt it too like trifling with the understanding of the House to expend their time. It was the doctrine of Lord Coke, that no man could be fined or confined, but in a Court of Record; no Court but that in which forty shillings damages might be given could be a Court of Record; his argument came into the form of syllogism, and the [illegible] conclusion was, that the power of fine and imprisonment was not in that House. No right to fine was assumed. Why was the greater power retained, when the smaller one was admitted to be illegal? Why was the maxim of law and reason violated? "Cuiminus non convenit, ei majus non convenit." The warrant of committal was illegal in all its parts, but eminently so in its conclusion. A legal warraut must conclude with the words, "till the party be delivered by due course of law:" this warrant ends with the words "during the pleasure of the House." He (Sir Francis) valued the rights of that House; but from whatever part of the Constitution an exertion of arbitrary power came, it was his duty, it was the solemn and lofty duty of every Englishman, to avow himself hostile to it. There were, in a matter of this kind, two obvious questions of justice. The first, "Crime, or no crime?" The next, "Committal?" The House, by such a proceeding, involved the assumption of the Judicial, Executive, and Legislative Powers; but this was in the very teeth of law. In the due administration of the law, it is provided that the same men shall not take two steps together; one set find the Bill, another decide on the fact, another the law; but that House, which administers no oath, which squares itself by no form, which makes no previous examination of the fact, jumps at once upon its dangerous and most alarming conclusion, and finds the accused guilty. What magic was there in the word Privilege, to make the forms of the wise and guarded laws of their ancestors worthless, to give them an instaneous and instinctive knowledge of the truth of the case, which might have been unheard of by the majority of the House till the moment of the charge, which was also the moment of judgment, and the moment of condemnation. Who was to define—who had attempted to define, the privileges to which the House laid claim; or what was the value or the cogency of undefined privileges? How was the accused to avoid his crime if the definition of Privilege, if the line that marked off vice from virtue, was allowed to be so minute, so wavering, so shadowy as to be indistinct to the legislators themselves. The prerogative of the Monarch was infringed by this assumption. Whatever encroached on the liberty of the subject was an infringement of the prerogative that was bound to protect it; and it ill became that House to give even a colour for insulting the popular liberty, or acting the oppressor when the power was in their hands; but it was fortunate for even that House, that there was a superior wisdom to correct the obliquities into which the possession of exorbitant power might betray the best of men; the law of the land was paramount; no resolution of the House could be valid, where it was inconsistent with the recognized law. A distinguished lawyer had said on an occasion where the authority of the House was brought forward, that "he cared no more for the resolutions of that House, than the decrees of a parcel of drunken sailors" If it was to be contended that the Votes of the House were valid against all sense and all authority of law, then Mr. Jones must remain in prison; but if they could be convinced that they had exercised power beyond privilege, they would be eager to retract the measure in which they were implicated, and agree with him in the motion which he would make, "that Mr. John Gale Jones should then be discharged."

Mr. Williams Wynne had listened with deep attention to the speech of the Honourable Baronet, and regretted that he must still differ with him. His speech had placed the House in a disagreeable situation; the individual for whom he had exerted himself so ably, might have been released but for the speech with which the motion had been prefaced. The first idea which that speech went to inculcate, appeared to him (Mr. Wynne) only applying itself to imprisonment for libel; but it then spread to denying the power of that House to visit any offence by imprisonment. It had been said, that no man had been committed by the House before the Reformation; but many instances had occurred: in the Reign of Henry the Eighth, a person of the name of Thurles, and soon after a Mr. Morningtou, for an assault on one of the Members. The Hon. Baronet had said, that in early times the privileges had been extended even to the security of grounds, servants, &c. Those privileges, it was true, had been inconveniently extensive; they had been since, however, limited, and many discontinued; but still the principle remained the same—the principle was an exemption from many common concerns, lest these should prove an interruption to their public duty. The privilege of committal for a contempt was established, and a libel was a contempt, not merely against one individual, but against the whole body of Parliament. So it was in the Courts at Westminster, or in the City; the libel would not be considered as levelled against any particular Judge, but against the King, who was considered as always presiding in person in the Court. A charge brought against any Member, for a [illegible] which he had made in the House, would naturally be considered a contempt of the House itself, which had entertained and perhaps affirmed the motion. The individual who had been imprisoned, was justly considered out of the question by the Hon. Baronet. He wished indeed that he had waited till the discharge of Mr. Jones from prison, and then the question could be more delicately discussed. As it was at present, however, there was this inconsistency; the motion had nothing whatever to do with the speech, by which it had been prefaced. He wished even now that the worthy Baronet would propose a declaratory resolution, on which to found his present motion; or perhaps, indeed, then the motion now made would not follow, as the release of Jones must be the immediate consequence of the House agreeing in the resolution. He confessed, that even then he for one would vote against the resolution, as trying to deprive the House of a privilege, which it had enjoyed for above 300 years—that of guarding its dignity against libels.

Lord A. Hamilton, while he voted against the question, was still sure, no matter what might be the line of politics pursued by the worthy Baronet, that he was sincere and disinterested. The Courts of Law, in his opinion, had often gone against the decisions of Committees of that House, by establishing votes which such Committees had invalidated.

The Attorney-General had not had the benefit of hearing the former part of the speech of the worthy Mover; he had, however, heard him quote two cases, which, in his opinion, were not at all analogous to the point which he wanted to establish. The first case was, where the validity of a patent had been questioned, and where a bill of exceptions had been taken and tendered for signature, to a Judge, who had refused to sign. He could not see how this act of the Judge was counter to the privileges of that House. It was true there was an act of Parliament imposing a duty of signature to a bill of exceptions on a Judge, and pointing out a remedy in case of refusal; but still the act of a Judge, in his judicial capacity, could not surely be construed as an intended indignity on the House of Commons. The other case quoted, and meant to be applied by the worthy Baronet, was the Banbury case. This, he also contended, was inapplicable. The circumstances were these: an indictment for murder had been preferred against Edward Knowles; to this a plea was set up that he had been improperly named in the indictment, and should have been termed Earl of Banbury. A replication was made, that his claim to this title had been invalidated by the House of Lords; the Prisoner demurred, and the Judges allowed the validity of the demurrer. Now, even this decision did not militate against the privileges of the House of Lords, because the denial of the title of Earl of Banbury to this Knowles had not been the act of the House, but merely a report of a Committee. It was true, indeed, that the House of Lords did arraign Chief Justice Holt, and the other Judges who presided, for this decision, and demanded their reasons. The Judges refused to give their reasons, alleging their irresponsibility, as Judges of the land; but at the same time pointing out the power of appealing, by a writ of error, from their decision to their Lordships themselves, and that then they would be ready enough to defend themselves. This was the second case since the Revolution quoted as in point, and he trusted the House would see that it, as the former, was not at all analogous. Mr. Jones might, however, have appealed legally for redress, if he thought himself illegally committed: he might demand to be brought up to the King's Bench, on a Habeas Corpus, and then the question would be set at rest. The Court would then decide, not on the privileges of the House, and whether the particular libel was a violation of them, but whether he had been committed according to the law of the land. The question, however, was tried before, in the Common Pleas, in the case of Mr. Wilkes, where the then Lord Mayor was committed for committing a servant of the House in contempt; it was then alleged that the House had no right to commit for a contempt; but Chief Justice de Grey expressed as his own and brother Judges' opinion, that the House had a right, by the law of the land, to commit for all contempts. (*Hear, hear!*) The worthy Baronet had most indelicately alluded to a comparison between the Resolutions of that House and the decision of an ale-house. He had also thought proper to assimilate the bye-laws of a petty Corporation to the decisions of that House; here he was most erroneous, for there was no example where a petty Corporation, for instance, of Devonshire, could bind one of their Members when in York or London. On the very occasion to which he had alluded, the warrant of committal had been signed, and made out exactly as the present warrant to which the worthy Baronet had objected; and though the cause was then so warmly argued, the validity of the warrant was never once called in question. There was a more recent case in the House of Lords, where Benjamin Flower was committed for a libel, and having been brought up by Habeas Corpus to the King's Bench, it was then adjudged by Lord Kenyon, and Mr. Justice Grose, that the imprisonment was legal. As the House seemed so unanimous on this question, he should now conclued by giving his negative to the motion.

Mr. Creevey stated, that from the restoration down to the Revolution, there was no case extant of imprisonment for libel, though many of reprimand. Since the Revolution, he admitted that many committals had taken place. All agreed now in the enormity of the proceedings against Lord Strafford; the minority who then voted were even held out to popular odium, and even Mr. Selden was not spared for voting against the attainder. He voted for the liberation of Mr. Jones.

Lord Folkestone defended the Hon Mover from having produced the cases objected to by the Attorney General as inapplicable in themselves; he had only used them in order to apply arguments which, at the time, had branched out of their consideration. The Hon. Baronet had not compared the decisions of that House, either to the discussion of an ale-house, or the bye-laws of a Corporation; he had merely alluded to what was matter of historical fact by way of illustration. The Attorney General had said, he had not heard the former part of the Hon. Baronet's speech one would have imagined, indeed, from his misrepresentation, that he had just heard as much of the beginning as of the end. Although he was disposed fully to vote for the acquittal of Mr. Jones, still he certainly was not prepared to go the whole length of the principles of the Hon. Baronet. He could not, certainly, say that the House had no right to commit for a contempt. He confessed, at first, when he heard the doctrine, he was inclined utterly to reject it; but, on reflection since, and a serious search into cases, he was much shaken in his first opinion, and not disposed so determinately to entertain it as at first. The Noble Lord here quoted many cases, to shew that [illegible] been many commitments for libel before the Revo[illegible]tion. On a commitment then, however, the genera[l] way was, to direct the Attorney General to proceed by [pro]cess in the Courts against the offender. The right of [co]mmittal had been urged as a necessary privilege, to [pre]vent the interruption of public business—this was [illegible] reason. He hoped the House would see whether [the] case in question was one in which the libel was lik[ely] to interrupt a Member in the discharge of his duty. If not, though the privilege certainly appl[illegible] [pe]torily, still the punishment should be proportione[d] to the offence.

The Solicitor General briefly opposed the motion.

Mr. Sheridan had heard, during the w[ho]le night, of cases in the earlier periods of our hist[ory]; in the reigns of the Tudors and the Plantagen[ets], and the Henrys, and the Edwards, before the Ref[orm]ation and after the Revolution; now he wished to d[raw] their attention to one simple and obvious case, [th]at of Mr. John Gale Jones. (*a laugh*). It had be[en] said, that it would be wrong to think of releasing [Mr.] Jones, on account of the principles contained in th[e sp]eech of the Hon. Bart. lest the act of liberation migh[t se]em a consequence of the doctrine [illegible] concessio[n of i]ts validity. Now he should certainl[y illegible] for the [relea]se of Mr. Jones but he should n[illegible] by any m[ean]s on the princ[iple]s contained in th[e Ho]n. Baronet['s s]peech; he did n[ot] [illegible]e indeed what th[e ab]stract argu[men]ts of his speec[h ha]d to do with th[e lib]eration o[f] [illegible]es. Why s[hou]ld he be sacrificed [to a t]heory [illegible] [w]hich had no [con]cern? Why sh[ould he be a] martyr [to] doctrines which h[e] [illegible] [u]nwillin[illegible]ted, not perhaps [en]tertained? Did h[e] [illegible] the Hon. Baro[net] [th]at the H[ouse] [illegible] except its own Members? To this indeed, and to this in its full extent, went the arguments of the Hon. Baronet. (*Hear, hear!*) It was in vain to deny it. What! said he, condemn a man without a trial, examination, or Jury; imprison a British subject without the verdict of his peers! This was indeed the whole tenor of his speech, but with such tenor the motion had nothing whatever to do; it merely went to propose the release of Mr. Jones in consequence of his having been confined long enough for the offence. The Hon. Baronet had said, that the House should have more properly desired the Attorney-General to proceed against the offender by process at law. This was a practice he never could give his sanction to; and in the adoption of which, he had no hesitation in saying he thought the House would be dishonoured. It never could delegate into any other hands than its own, the maintenance of its privileges, without a degradation of its dignity and a dereliction of its duty. He well knew the consequence of confiding such a trust into the hands of an Attorney-General. He knew it from experience. He had once the honor of being appointed Chairman of a Committee, in order to ascertain who was the author of a libel against the dignity of that House. The libel proved to be the production of Mr. Reeves, a friend of his own, and went the length of stating, that the Monarch was the chief prop and strength of the Constitution, the root on which its vigour depended, and which might remain fresh and vigorous, though even the trunk and branches were demolished. This he in the House moved to be a gross and scandalous libel, and was proceeding to take future steps in consequence, when one of the Gentlemen opposite thought proper to suggest, that the further prosecution should be handed over to his Majesty's Attorney-General. The suggestion was adopted, and the author of what had been unanimously condemned in the House as a gross and scandalous libel, was acquitted in Court? This was the consequence of transmitting the defence of their insulted privileges into the hands of an Attorney-General. He was still more averse to a doctrine which he heard on that night promulgated by the Hon. Baronet, who did not hesitate to call the House of Commons an inferior branch of the Legislature! Many opinions might certainly exist as to the possibility, and perhaps policy of improving the Representation, by a Reform in Parliament; but that sitting as they then were, the full and acknowledged Representatives of the People, they should be deemed by the Hon. Baronet of inferior importance, was a principle which very m[uch] surprised him. Proceeding from the quarter whence it did, it could only have been a lapse of forgetfulness. The offence of Mr Jones ought to be candidly considered. What was the nature of this offence, of which it seemed he was unanimously considered guilty, though now, indeed, the entire feeling of the House appeared in his favour, provided he could be abstracted from the arguments by which the motion had been preceded; but what was his offence? Why, he had merely proposed as a subject to be mooted at a debating society, whether certain conduct of two Members of that House had been or had not been offensive to the Press; and in case of condemnation, which had been most criminal. Now this was merely to be discussed at the debate of an evening society. It was a case in which he could not think severity was in any degree necessary. To have heard the opening of the accuser, one would have thought it was most extreme:—"Read me" (says the Hon. Member for Cambridgeshire, turning to the Clerk),—he is not now, indeed, Member for Cambridgeshire (said Mr. Sheridan), and I hope, for the honor of the people of England, he will not be again returned—"Read me a certain page of a certain chapter in the Bill of Rights" Now the passage which he had desired so pompously to be read, merely directs that no proceeding of that House should be questioned in any Court or discussion out of doors. Was this meant to bar all discussion, all consideration of politics out of doors? Unless it meant this, it could mean nothing; it must prevent a report of any of their proceedings; it must carry the order to its utmost extremity. Now to prove how conveniently it might be occasionally relaxed, he would merely state the contents of a requisition which an Hon Baronet had shewed him, as having been served on him, requiring his attendance at a Court of Common Council—he did not think it would be disorderly to mention the name of the Hon. Gentleman, not certainly as a Member of that House, but as an Alderman—he was a very *constitutional* man; it was Sir Wm. Curtis. (*A loud laugh*). The requisition desired his attendance at a Court of Common Council to "consider of the prodigal and profligate expenditure of the public money by the House of Commons, in the grant of an annuity to Lord Wellington." Now if the Bill of Rights was to be so closely adhered to in every case, why was such a notice as this made public with impunity? What, shall that House thunder its vengeance on a poor debating club, when it would not dare to raise its arm against a wealthy corporation? If this distinction is to be practised and endured, let there be an end then of all that gives our Constitution value—repress all discussion—prohibit any County Meetings—silence every controul on the part of the people, and by that act deprive Parliament of the great stimulus by which it is forced to do its duty. If this principle of the Bill of Rights is to be acted on at all, common justice requires that its extension should be general, and if that is once the case, you rob the people of their only consolation under suffering—their best prop and champion—their chief resource under all the miseries of misrule and misgovernment, a free Press. An attempt of this description had been made some time since. He had not then the honor of a seat in that House, but it was at the close of the American war that the experiment was tried. Lord North attempted to exclude the public from the House of Commons; he had the power, and exercised it for above a Session and an half. What was the consequence? Every County had its Parliament, and every village in the Empire its delegates; clubs assembled, and societies sprung up for the discussion of their rights, and the examination of their grievances. Let not Parliament commence such a silly, dangerous contest; let it not dispute its privileges with every miserable club; or if it is determined on such delicacy, let it boldly [le]t its force against the rich as well as the poor, aga[in]st the powerful as well as the weak; or, if it does n[ot] do so, let it not wage that contest against the po[or ma]n's liberty, which it *dare* not commence again[st a wea]lthy Corporation. Under this consideration [of th]e subject, he should move an Amendment. The [Amen]dment, perhaps, had not Mr. Jones humbly confe[ssed] his guilt at the Bar, ought more regularly to have [been pre]ceded by a petition; but this in his idea was o[bviate]d by a personal submission. He therefore move[d a]s an Amendment, "That Mr. John Gal[e] Jone[s, h]aving been now imprisoned since the 21st o[f] Febr[uar]y, and having expressed his contrition at the time [of] the offence, be now discharged."

Th[e Speaker, before] he put the question, considered it his [duty to] confirm the statement of the Right Hon. Gent[lema]n, that the uniform course pursued by the Hou[se in s]uch cases was not to discharge any individual wh[o had] have incurred its displeasure, until he appli[ed by pet]ition, expressing contrition for his offence.

O[n the] question being put on the amendment.

Th[e Ch]ancellor of the Exchequer rose to state [the groun]ds upon which he should dissent from the [mo]tion, and from the amendment of the Right Hon. Gentleman. He could not agree in the motion of the Hon. Baronet, when he connected it with the arguments by which it was supported; nor could he concur in the amendment, when he considered the circumstances under which the question had been brought forward. Every Hon Member who followed the Hon. Baronet had abandoned his argument, and his Learned Friend had clearly shewn the privilege of that House as exercised in the case under consideration, was not contrary to *Magna Charta.* The Right Hon. Gentleman had shewn his disposition to call upon the House to exercise its rights in the case of the libel, which he had brought under its cognizance, though he did not think it expedient for the House to interfere in cases brought forward by other Gentlemen. Certainly the result of the trial in the case alluded to by the Right Honourable Gentleman by the acquittal of the party, was a proof that the House did not always come well out of such a business. It was unnecessary to go into the argument founded upon the article of the Bill of Rights; for though no such article existed, the House must have the power of punishing such offences as had a tendency to bring it into contempt. The Right Hon. Gentleman had asked why they did not proceed against the Common Council. But that was a Body assembled, and for a legal purpose, and Parliament would be scrupulous of interfering with the conduct of such Bodies in the exercise of their constitutional franchises. But if they should transgress the limits of their legal functions, and presume to condemn the acts of the Legislature, such conduct would amount to a gross breach of the privileges of Parliament, and would be visited by that House against any bodies whatever. The case of the British Forum was not that of a legally constituted body. There was no instance of an individual committed for an offence against the privileges of that House being discharged unless he condescended to present a petition, expressing his contrition; and if the individual to whom the motion referred, were to present a petition of that description to-morrow, he was not aware of any reason that could prevent his being discharged.

Mr. Sheridan stated in explanation, that the case brought formerly by him under the consideration of Parliament, had been voted by that House to be a false scandalous, and malicious libel.

Lord Temple, if he could not consent to the Motion [of th]e Hon. Baronet, should not consent to the attainment of [illegible] by a side wind, in agreeing to the Amendment [illegible] [thought the] confinement already suffered by the individual a suffi[cien]t punishment for his offence; but would not consent [to h]is discharge till he should express contrition for his offence. The Bill of Rights was not intended to prevent constitutional meetings, legally convened for discussing the conduct of public men. He could not consider self-called meetings as entitled to the same consideration as corporation meetings, or county meetings legally convened by the Sheriffs. He should therefore vote against the original Motion and the Amendment, distinctly stating, that if a Petition were to be presented, he should vote for the discharge of the individual.

Mr. Whitbread was sorry that the Hon. Baronet had brought forward his motion in a shape which, whatever way it should be decided, would not attain his object. He could not but agree that the House had the right to commit persons for a breach of its privileges, but he must also add, that in his opinion that House very seldom got well out of such proceedings. It was clear that the Hon. Baronet had gone the whole length of denying that House had the right to commit any person, but one of its own Members, for he had put his argument in the form of a syllogism; a Court of Record only had such a power of commitment; that House was not a Court of Recored, therefore that House had no such right of Commitment. He should therefore vote for the amendment.

Mr. Charles Wynne declared his intention to vote for the amendment, because he thought the confinement already suffered sufficient as a punishment for the offence.

Sir Francis Burdett replied to the various arguments which had been urged against his motion. He had endeavoured to guard against the confounding the simple proposition which he had stated with the exercise of the inquisitorial functions of that House. He could never have had it in idea to assert, that the House had not the power, in the exercise of its constitutional functions, to remove nuisances, that is, obstructions to judgment, a power which every Magistrate possessed. But he did deny that they had the power to call a man to their Bar for the purpose of charging him with an offence, and then inflicting upon him imprisonment, the highest punishment, not capital, recognized by the law of this land. In doing this, the House appeared to him to have greatly transcended its constitutional prerogatives. The Hon Baronet then proceeded to review the cases that had been adverted to in the course of the discussion, and the comments made upon them. He shewed that not one of them applied to the case under consideration. If any Hon. Member could shew to him that such a prerogative was necessary to the constitutional functions of Parliament, he would submit. They had already abandoned all the privileges which were formerly thought necessary for them, because they had been found obstructions to justice, and they now retained only freedom of speech and from arrest. He had hoped that the Learned Gentlemen opposite, those luminaries of the law, would have thrown more light upon the subject, but the only case they had produced, that of Ferrars, in the reign of Henry VIII. went to shew that House had no separate authority. The Learned Gentleman had mistaken all his cases, and misconceived the object for which he had cited them, and the arguments with which he urged them. But the Hon. and Learned Gentleman had not been able to shew that it was consistent with the law of England—that law, which, according to Plowden, was founded upon pure reason—that an English subject ought to be questioned twice for the same offence. The cases he had cited, he referred to only as illustrative of his argument, and in order to shew, by the well-digested paper of the judges in the case of Bridgeman and Holt, that the judges acknowledged no legal tribunal in this kingdom but the courts established by the law of the land. The *lex Parliamentaria* that had been so much talked of, was binding upon their own Members, but not upon others. What was the answer of Chief Justice Morton to Edward the Fourth, when asked by that Monarch, whether he could arrest a particular person? No Sire, that would be an act for which you could not be questioned, and if aggrieved the party could have no redress you must make an arrest by an Officer who will be responsible for the consequences. It was a material objection against this right claimed by the House, that they could not proportion the punishment to the offence; as an individual may, by possiblity, be confined even years, or only five minutes, if a dissolution was to take place. Much had been said of the dignity of that House; but if dignity was to be supported by punishment, Jack Ketch must have more dignity than any other indi[vidu]al in the kingdom. If strong [measu]res were to [be resorted to an]y where, he should prefer giving them to th[e law]. He had ever been an enemy to the exercise of [arbitrary] power in any quarter, and on the same grounds was [he] to oppose what he looked upon as an usurpation of an unconstitutional power on the part of that House.

The Amendment was then [ne]gatived without a division; but upon the original mot[ion] the House divided.—For it.....14—Against it.....15[3]—Majority.....139

SHERIFF'S SALE.

In the Supreme Court of Judicature at Madras.

POOLOOSOO SEETAWRAUMIAH,

VERS.

BYDEPAUTY VENKIAH BRAMINY,

NOTICE is hereby given, that on Thursday the 16th Instant, will be sold by Sheriff's Sale, on the Premises, between 4 and 6 in the afternoon 3 Lots of Ground situated near to the Flag Staff by Lord Clive's Canal, viz.

		Cwns.	Gds.	Square feet.
Lot 1st.	Measuring	1	8	1200
2d.	do.	26	7	2014
3d.	do.	2	4	1200 or there-

abouts, being the property of the above named Defendant and seized by order of the Supreme Court of Judicature.

CONDITIONS OF SALE.

A deposit of 10 per Cent. is to be paid by the Person or Persons who shall purchase the said Premises, and all Persons who shall attend the sale are to take notice thereof and come prepared accordingly, and unless the said Premises shall be paid for at the expiration of 10 days after the day of sale the deposit shall be forfeited, the said Premises to be resold, and any deficiency to be made good by the first purchasers, and all advantages forfeited.

S. H. GREIG,
SHERIFF.

SHERIFF'S OFFICE, Madras, August 6th, 1810.

ADMINISTRATIONS.

LETTERS of Administration of the Estate & Effects of Captain BENJAMIN JAMES PIDDING, deceased; late in the Military Service of the Honorable the East India Company, on the Madras Establishment, having been granted by the Supreme Court of Judicature at Madras, to GILBERT RICKETTS, Esq. as Register of the said Court, pursuant to the Act of the 39th and 40th years of his present Majesty, Chapter 79th Section 21st.—All Persons having claims on the said Estate, are requested to make them know to the said, Administrator, and all those indebted to the said Estate, are desired to pay the same to him without delay

Fort St. George, 4th August, 1810.

LETTERS of Administration of the Estate and Effects of Capt. JOHN SINCLAIR, deceased; late of the Artillery, in the Service of the Hon the East India Company, on the Madras Establishment, having been granted by the Supreme Court of Judicature at Madras, to GILBERT RICKETS, Esq. as Register of the said Court, pursuant to the Act of the 39th and 40th years of his present Majesty, Chapter 79th Section 21st.—All persons having claims on the said Estate, are requested to make them known to the said Administrator, and all those indebted to the said Estate, are desired to pay the same to him, without delay.

Fort St. George, 4th August, 1810.

LETTERS of Administration of the Estate and Effects of Lieutenant GEORGE TUCKER, deceased; late of the 7th Regiment of Native Cavalry, in the Service of the Honorable the East India Company, on the Madras Establishment, having been granted by the Supreme Court of Judicature at Madras, to GILBERT RICKETTS, Esq as Register of the said Court, pursuant to the Act of the 39th and 40th years of his present Majesty, Chapter 79th Section 21st.—All Persons having claims on the said Estate, are requested to make them known to the said Administrator, and all those indebted to the said Estate, are desired to pay the same to him without delay.

Fort St. George, 4th August, 1810.

LETTERS of Administration of the Estate and Effects of Lieut. WILLIAM LEACH, deceased; late in the Service of the Hon. the East India Company, on the Madras Establishment, having been granted by the Supreme Court of Judicature at Madras, to GILBERT RICKETTS, Esq as Register of the said Court, pursuant to the Act of the 39th and 40th years of his present Majesty, Chapter 79th Section 21st —All persons having claims on the said Estate, are requested to make them known to the said Administrator, and all those indebted to the said Estate, are desired to pay the same to him without delay

Fort St. George, 4th August, 1810.

FOR SALE,

AT

T. BIRTLES'S

LIVERY STABLES,

MOUNT ROAD,

A HANDSOME

Chesnut Arab Horse,

SOUND AND FREE

FROM VICE,

Price 250 [illegible]godas.

MESSIEURS

GRIFFITHS, WHEELER, COOK AND CO.

BEG LEAVE TO INFORM

THEIR FRIENDS

AND

THE PUBLIC,

THAT IN ADDITION

TO THEIR

LATE PURCHASES,

THEY HAVE

JUST BOUGHT

THE VERY EXTENSIVE

INVESTMENTS

OF

Captain Robert Hay,

OF THE

HON'BLE COMPANY'S SHIP,

ASTELL,

MR. BROWN,

THE PURSER,

AND

MR. HAWKEY,

CHIEF OFFICER,

OF THE ABOVE SHIP,

WITH SEVERAL OTHER SELECTIONS,

Particulars of which, will be mentioned in a future Advertisement.

POPHAM'S BROADWAY, August 7, 1810.

FOR THE BENEFIT OF THE YOUNG FAMILY OF AN OLD OFFICER LABOURING IN INDIGENCE UNDER UNMERITED MISFORTUNE.

PROPOSALS.

FOR PUBLISHING BY SUBSCRIPTION,

A Perpetual Chronologue,

CONTAINING

TABLES

RELATIVE TO THE DISTRIBUTION OF TIME, FEASTS, &c.

TOGETHER WITH

THE THEORY OF THE SUN, MOON, AND ECLIPSES, THE DATA OF THE STARS WITH AN APPROPRIATE VIGNETTE, &c. &c.

AS an apology for intruding the present Epitome on the Public, I have only to state the necessity I am under to visit a young Family in Europe, now in part grown up, without, after near thirty years service ever, having had an opportunity of acquiring the means of providing for them, or otherwise it would probably never have met the public eye, being at first merely the amusement of solitary hours in a retirement, occasioned by family discord and unmerited misfortune, and which I hope will hereby derive alleviation from the liberality and indulgence of the Public and more particularly that of Brother Officers.

The work itself will prove equally useful at Sea as on Land, since the Latitudes and Longitudes may be obtained by it without an Ephemeris, and it is hoped the Excurplefications will prove sufficiently explicit. In short, nothing has been neglected that can recommend it by making it of general use, as well as amusement to those who may be so inclined to employ their leisure hours.

THE AUTHOR.

As soon as 250 Subscribers are obtained (necessity entreating prompt payment) the work will be put to Press without delay, and delivered to the Agents or friends of Subscribers at Out-stations.

Subscriptions will be received by Mr. G. Stevens Agent to the Government Gazette Press, and at the Madras Journal Office.

PRICE FIVE PAGODAS EACH.

FOR SALE ON COMMISSION,

By Ashton & Meppen,

A FEW BAGS

OF

Bengal Salt Petre.

Brandy [illegible] Bottle[illegible]

FOR SALE ON COMMISSION,

Ashton and Meppe[illegible],

HAVE just received, a quantity, of [illegible]good quality, which they are allow[illegible] sell at 6 and a half Pagodas per dozen.

SALES BY AUCTION.

TO BE SOLD BY PUBLIC AUCTION,

By Balfour & Hogg,

AT THEIR AUCTION ROOM,

On SATURDAY next, the 11th Instant,

SALE TO COMMENCE,

AT HALF PAST TEN O'CLOCK,

AN INVOICE

OF

Europe Furniture,

CHINTZ of handsome patterns, which will be sold in small lots for the convenience of Purchasers

AT THE SAME TIME,

AN INVOICE

OF

Silk & Cotton Hosiery,

PARTICULARS OF WHICH

WILL BE

MENTIONED IN A FUTURE PAPER.

The above landed from a Ship now in the Roads.

TO BE SOLD BY PUBLIC AUCTION,

By Balfour and Hogg,

At their Auction Room,

On SATURDAY next, the 11th Instant,

AT 11 O'CLOCK,

SIX Cases containing Tin Ware, viz. Block Tin Han Boilers—Fish Kettles, Sauce Pans, Stew Pans, large and small oval and round Tea Kettles, Pontypool Patent Japann'd Biggins, Bronz'd Jug Coffee Fillerers, Ladies and Gentlemen's Japanned Dressing Cases, &c. &c.

AND

Two hundred and fifty groce of Wine and Beer Corks.

FOR SALE ON COMMISSION,

By Balfour and Hogg,

AN invoice of Jewellery, (Mock and Silver), consisting of Broaches, Crosses, Clasps, Band Buckles, Combs, Shoe Clasps, Crescents, Hair Ornaments, &c. &c.

FOR SALE ON COMMISSION.

By Balfour and Hogg,

TWO handsome new Bengal built Palanqueens, lined with Europe Chintz, Bedding, Lamps, &c. complete.

FOR SALE ON COMMISSION.

By Balfour and Hogg,

REAL Jamaica Rum in quarts, at 5 Pagodas per dozen.

AND

A few large Cases of Real Hollands Gin, at 13 Pagodas each.

HORSES,

FOR SALE ON COMMISSION,

Ashton & Meppen,

HAVE received, twelve beautiful HORSES and MARES, among which are three pairs that match exceedingly well, and will answer for a Phæton, Curricle, or a light Carriage, they are not yet broke in; a pair of handsome Mares, that have been broke in for a Curricle, and go exceedingly well together; the other four are Saddle Horses of a beautiful figure, and fine action; the Horses are all Arabs, they are recently arrived, the owner will put a moderate price on them, they are well worth the attention of the Public in general; they may be seen at Ashton and Meppen's from 8 in the morning till 6 in the evening.

Bengal Table Linen.

Ashton and Meppen,

HAVE received for Sale on Commission, a quantity of Napkins and Table Cloths, which th[illegible] have been authorised to sell exceedingly reas[illegible]nable, the Table Cloths are of the following [illegible]imensions, viz.—5 Cubits by 5, 6 by 5, 7 by [illegible], 10 by 5, 15 by 5, and 20 by 5.

A. and [illegible] have also received, a quantity of Bengal D[illegible]as, Nya[illegible]ook, Mulmul and Flowered Mus[illegible], which th[illegible]re authorised to sell much ch[illegible]per, than t[illegible]ual price.

SALE BY AUCTION.

TO BE SOLD BY PUBLIC AUCTION,

By Balfour & Hogg,

AT THEIR AUCTION ROOM,

To-morrow, WEDNESDAY, the 8th Instant,

SALE TO COMMENCE

AT HALF PAST TEN O'CLOCK,

EIGHTYS-EVEN Superfine Youth and Men's fashionable Black Round Hats, from Bicknell and Williams, and Whyte.—The Hats are all in high order, and will be sold one in a lot,

Government Lottery.

TWELTH OR LAST DAY'S DRAWING

IN THE

SECOND CLASS

THURSDAY, JULY 26, 1810.

No. 4070 a Prize of 5000 Star Pagodas.

Nos. 4316 4723 7895 Prizes of 300 Star Pagodas each.

Nos. 2341 4825 Prizes of 150 Star Pagodas each.

Nos. 961 1765 2278 2853 2613 4453 4655 Prizes of 100 Star Pagodas each.

PRIZES OF 50 STAR PAGODAS EACH.

29	279	706	337	242	307	211	719
382	381	304	1472	1585	1489	1974	1260
1433	1303	1055	1116	1225	1083	1250	0[illegible]3
1275	1224	1314	1667	1623	1035	1089	1748
2934	2938	2871	2204	2380	2051	2218	2779
2114	2404	2770	2261	2489	2979	2032	2798
2692	2733	2160	2811	2948	3353	3496	3668
3351	3137	3105	3592	3561	3396	3286	3564
3638	3681	3913	3103	3047	3279	3716	3673
4404	4746	4356	4677	4495	4313	4300	4119
4105	4713	4991	4336	4643	4161	4397	4027
5711	5703	5590	5512	5253	5959	5267	5713
5044	5913	5394	5106	4508	5972	5855	6822
6854	6243	6827	6997	6600	6728	6154	6892
6570	6417	6686	6278	6791	6557	7506	7455
7430	7033	7816	7130	7763	7946	7548	7107
7474	7715	7017	7813	7280	7647	7581.	

Third Calcutta Lottery

THIRD DAY's DRAWING,

MONDAY, JULY 9, 1810.

Nos. 187 and 319, Prizes of 5,000 Sicca Rupees each.

No. 912, a Prize of 1,000 Sicca Rupees.

PRIZES OF 100 SICCA RUPEES EACH.

85	118	130	143	151	170	249	274
284	344	459	508	519	520	523	678
878	901	1017	1061	1206	1211	1322	1438
1451	1470	1471	1555	1584	1625	1693	1769
1786	1795	1796	1831	1845	1860	1956	1964
2026	2030	2075	2077	2104	2147	2298	2341
2381	2390	2401	2428	2429	2446	2596	2641
2613	2777	2884	2965	2996	3023	3084	3188
3191	3201	3214	3289	3294	3317	3386	3414
3430	3432	3482	3493	3547	3572	3601	3612
3627	3636	3657	3703	3714	3863	3887	3994
4037	4081	4123	4213	4279	4412	4428	4462
4463	4556	4639	4739	4785	4817	4[illegible]90	4907
4926	4929	4940	4944	4953	5003	5039	5086
5[illegible]97	5110	5182	5273	5[illegible]63	5385	5386	5482
5605	5684	5696	5699	5769	5812	5901	5921
5964.							

FOURTH DAY's DRAWING,

THURSDAY, JULY 12, 1810.

No. 3679, a Prize of 100,000 Sicca Rupees.

Nos. 535 & 2859 Prizes of 10,000 Sicca Rupees each.

Nos. 2958 and 3075 Prizes of 1,000 Sicca Rupees each.

PRIZES OF 100 SICCA RUPEES EACH.

93	97	188	213	296	388	430	477
483	541	577	583	603	607	740	773
806	840	852	854	921	961	1028	1080
1108	1122	1200	1235	1311	1355	1393	1425
1604	1626	1656	1670	1680	1889	1911	1935
1942	2126	2158	216[illegible]	2207	2222	2235	2264
2280	2353	241[illegible]	2472	2495	2518	2601	2602
2705	2744	2761	2807	2811	3827	2860	2915
2928	2944	2945	3069	3125	3316	3429	3470
3474	3554	3573	3600	3628	3629	3652	3705
3798	3799	3838	3907	4044	4054	4144	4334
4395	4414	4464	4470	4568	4580	4593	4601
4625	4645	4729	4744	4746	4791	4845	4938
4969	4996	4999	5007	5013	5019	5076	5165
529[illegible]	5320	5349	5406	5486	5552	5663	5609
566[illegible]	5688	5728	5861	5946	5983	5984	5992.

MADRAS:—PRINTED BY M. KELL[illegible] [illegible]EXT [illegible]O[illegible] TO THE [illegible]OWN MAJOR'S [illegible]OUSE IN THE FORT.

*** It is requested that those SUBSCRIBERS to the COURIER who are occasionally changing their Resid[illegible]ce, w[illegible] give car[illegible] place to which t[illegible] remove to the PRINTER who will pay attention t[illegible] their orders and any SUBSCRIBERS at the Presidency to whom the Peons may not deliver the Paper in pro[illegible], are reque[illegible] information of the same in order that this irregularity may be prevented in future.